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4 BEFORE THE CITY COUNCIL  
5 OF THE CITY OF LAS VEGAS, NEVADA  
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7 IN THE MATTER OF:

8 DEPARTMENT OF FINANCE AND  
9 BUSINESS SERVICES on behalf of the  
CITY OF LAS VEGAS, NEVADA,

10 Petitioner,

11 vs.

12 DONNA J. LAWRENCE d/b/a V.I.P.  
13 MASSAGE,

14 Respondent.

**COMPLAINT FOR  
DISCIPLINARY ACTION**

15  
16 The DEPARTMENT OF FINANCE AND BUSINESS SERVICES, on behalf of the  
17 CITY OF LAS VEGAS, NEVADA (Department), Petitioner, brings this Complaint for  
18 Disciplinary Action against DONNA J. LAWRENCE d/b/a V.I.P. MASSAGE, 3053 South  
19 Valley View Boulevard, Las Vegas, Clark County, Nevada, Respondent, and states:

20 Respondent DONNA J. LAWRENCE d/b/a V.I.P. MASSAGE holds Massage  
21 Establishment License No. M03-00137-5-107570, Reflexology Establishment License No.  
22 R03-00012-E-107570, and Miscellaneous Services License No. M07-03466-5-107570.

23 **SUMMARY OF ALLEGATIONS**

24 DONNA J. LAWRENCE applied for the above-noted business licenses in August  
25 2003. She stated in her application that she was the 100% owner of V.I.P. MASSAGE. Her  
26 application was approved by the City Council in November 2003. In May 2004 V.I.P. LLC  
27 was listed by the Secretary of State as having DONNA J. LAWRENCE as its managing  
28 member and Nga Greer as its manager. No application has ever been made by Nga Greer to

1 be approved as a principal of V.I.P. MASSAGE. In March 2006 Kimberly Starr, acting as a  
2 masseuse at V.I.P. MASSAGE, committed an act of prostitution, and was arrested by  
3 Metropolitan Police officers. Two other masseuses, Amy Baker and Huynh Mai, were cited  
4 for not having massage licenses. In April 2006 Tam Vo, whose home address was the same as  
5 Nga Greer, while acting as a masseuse at V.I.P. MASSAGE, committed an act of prostitution,  
6 and was arrested by Metropolitan Police officers. In April 2006 Metropolitan Police crime  
7 scene analysts processed two massage rooms at V.I.P. MASSAGE and determined that  
8 seminal fluids were present.

9 **PRIVILEGED BUSINESS FINDING**

10 LVMC § 6.52.100 provides:

11 The City Council hereby finds that massage  
12 establishments, massage therapists and independent massage  
13 therapists seriously affect the economic, social and moral  
14 well-being of the City and its residents, that such businesses must  
be regulated strictly for the welfare of the public and that such  
businesses must therefore comply with LVMC 6.06.

15 **FAILURE TO LIST NGA GREER AS A PRINCIPAL OF V.I.P. MASSAGE**

16 DONNA J. LAWRENCE sought business licenses from the City of Las Vegas  
17 August 26, 2003, listing herself as sole proprietor. The Las Vegas City Council approved her  
18 application November 19, 2003, based on this application. Nevada Secretary of State's  
19 records from May 4, 2004, list Nga Greer as manager and DONNA J. LAWRENCE as  
20 managing member of V.I.P. MASSAGE. Nga Greer has never applied to the City of Las  
21 Vegas to be approved as a principal of V.I.P. MASSAGE.

22 Las Vegas Municipal Code (LVMC) § 6.02.010(O) defines "principal" as follows:

23 "Principal" means:

24 (1) Any person who is an officer, director, trustee,  
25 personal representative or general partner or who has an  
26 ownership interest in or voting control of the business equal to or  
27 greater than ten percent of the entire ownership of voting control  
28 of such business. If the ownership interest or voting control is  
held by a person other than an individual, then each officer,  
director, trustee, personal representative or general partner of  
such person is a principal;

1 (2) Any person who is or will be directly engaged in the  
administration or supervision of the business; and

2 (3) Any other person if, in the Director's opinion, the  
3 person exercises, or is capable of exercising, significant influence  
4 over the business.

5 LVMC § 6.06.060 provides:

6 Each principal must be approved for suitability in order to  
7 be associated with a business subject to this Chapter.

8 LVMC § 6.06.190 provides:

9 A licensee may not employ, allow, permit or suffer to  
10 permit a person to exercise any office, authority, control or  
11 privilege or perform any act, for the exercise or performance of  
which a person is required to be approved for suitability, unless  
such person has been so approved for suitability.

12 LVMC § 6.06.200 provides:

13 The applicant has a continuing duty and obligation to  
14 notify the Department of Business Activity of additions,  
15 deletions, changes or modifications in the information furnished  
the Department and this duty continues as long as a valid  
approval for suitability remains in effect.

16 LVMC § 6.06.210(A) and (D) provides:

17 Prior approval must be obtained from the City Council for  
18 a licensee or a holder of approval for suitability to do any of the  
following acts:

19 (A) Convey the license from one person to another;

20 . . . .

21 (D) Transfer any ownership interest or voting control to a  
22 person who, because of the transfer, would be required to be  
approved for suitability.

23 LVMC § 6.06.120(A) provides:

24 The City Council may approve, deny or take such other  
25 action with respect to such application as it considers appropriate.  
26 The burden of showing qualifications, acceptability or fitness for  
a license or approval for suitability is upon the applicant.

27 . . . .

28 . . . .

## PROSTITUTION

On March 30, 2006, a Las Vegas Metropolitan Police detective operating in an undercover capacity entered V.I.P. MASSAGE. Kimberly Starr, working as a masseuse, offered to provide a one-half hour massage for \$50. She instructed the detective to disrobe and lay face down on a massage table. During the course of the massage Ms. Starr agreed with the detective to **engage in an act of sexual intercourse** with him in return for **\$300**. She was arrested for prostitution.

On April 13, 2006, a Las Vegas Metropolitan Police detective entered V.I.P. MASSAGE while operating in an undercover capacity. Tam Vo offered to give him a 30-minute massage for \$50. She stated that "she would be the one performing the massage and as the **owner**, she normally doesn't perform massages, but she did not have anyone else." She instructed the detective to disrobe and wait for her. Ten minutes later she appeared dressed so that her **breasts were exposed**. She then began massaging the detective. After ten minutes, she asked the detective to turn face up, and asked him if he was ready for the "**full treatment**." She told him that the cost for the "full treatment" would be **\$100** to masturbate him, **\$150** to engage in oral sex, and **\$300** for intercourse. She and the detective agreed that he would pay her \$300 for intercourse. Other Metropolitan Police detectives then entered V.I.P. MASSAGE and arrested Tam Vo for soliciting an act of prostitution.

On April 18, 2006, Metropolitan Police crime scene analysis processed massage room numbers 2 and 3 at V.I.P. MASSAGE. **Fluid stains** were located on three of the four walls in both rooms. Samples were obtained, submitted to a presumptive test, and determined to be **seminal fluid**.

NRS 201.354 provides:

1. It is unlawful for any person to engage in prostitution or solicitation therefor, except in a licensed house of prostitution.

2. Any person who violates subsection 1 is guilty of a misdemeanor.

....

....

1 LVMC § 6.52.120(C) and (D) provides:

2 It is unlawful for any person who is required to be  
3 licensed under this Chapter to:

4 . . . .

5 (C) Perform massage unless the person performing the  
6 massage is wearing nontransparent outer garments that do not  
7 expose or exhibit that person's genitals, pubic area, buttocks or  
8 chest.

9 (D) Expose the genitals of a client for the purpose of  
10 soliciting prostitution.

11 **ILLEGALLY PAYING TIPS TO TAXICAB**  
12 **DRIVERS FOR DELIVERY OF CUSTOMERS**

13 On April 18, 2006, Las Vegas Metropolitan Police detectives were interviewing Tam  
14 Vo at V.I.P. MASSAGE. During the course of the interview she called Jessie Cantero, whom  
15 she described as her boyfriend. Mr. Cantero appeared and engaged the detectives in  
16 conversation. During the course of the conversation he referred to Tam Vo and stated, "I am  
17 very proud of her for building this business. She's done a lot as a single business owner."  
18 Ms. Vo then admitted to detectives that she was the manager of V.I.P. MASSAGE. Mr.  
19 Cantero told detectives that he was employed at CLS, a limousine service in Las Vegas, and  
20 that his job was that of a "host" to high rollers. Detectives related all of this to their  
21 examination of page 14 of the April 2006-edition "Trip Sheet Magazine," a periodical for  
22 taxicab and limousine drivers. A one-quarter page advertisement appears on page 14 for  
23 V.I.P. MASSAGE. The ad depicts a provocatively-posed, scantily clad woman and provides  
24 that drivers will receive **\$20 for every person delivered to V.I.P. MASSAGE.**

25 LVMC § 6.06.195 provides:

26 (A) It shall be unlawful for any licensee subject to this  
27 Chapter or any employee or agent of said licensee to pay any fee,  
28 tip, gift, or gratuity of any kind to any taxicab driver for the  
delivery of any passenger to the business location of the licensee.  
This Section does not apply to promotional packages or  
arrangements whereby a licensee pays a tip or gratuity directly to  
a taxicab company in advance as part of the promotional package  
or arrangement.

1 (B) Any person who is convicted of violating subsection  
2 (A) of this Section shall be punished by a fine of not less than  
3 two hundred fifty dollars nor more than one thousand dollars or  
by imprisonment for a term of not more than six months, or by  
any combination of such fine and imprisonment.

#### 4 SUBSTANTIVE LAW

5 LVMC § 6.02.330(H) provides:

6 The licensee may be subject to disciplinary action by the  
7 City Council for good cause, which may, without limitation,  
include:

8 . . . .

9 (H) The actual business activity constitutes a **public or**  
10 **private nuisance**, or has been or is being conducted in an  
unlawful, illegal or impermissible manner. [Emphasis added.]

11 LVMC § 6.02.350 provides:

12 A licensee under this Chapter shall be subject to  
13 **disciplinary action** not only for acts or omissions done by such  
licensee but also for acts and omissions done by the principals,  
14 managers, agents, representatives, servants or employees of such  
licensee. [Emphasis added.]

#### 15 EVIDENCE

16 LVMC § 6.88.090 provides:

17 (A) **The hearing need not be conducted according to**  
18 **technical rules relating to evidence and witnesses.** Any  
relevant evidence may be admitted.

19 (B) The respondent shall have the right to call and  
20 examine witnesses on his own behalf, cross-examine opposing  
witnesses, introduce exhibits and evidence relevant to the issues  
of the case, and offer rebuttal evidence.

21 (C) The respondent may be called and examined by the  
22 City.

23 (D) The Clerk shall have the power to issue subpoenas for  
24 witnesses to appear to give testimony. [Emphasis added.]

#### 25 PENALTY

26 LVMC § 6.02.360 provides:

27 Upon a showing of good cause and in the discretion of the  
28 City Council, disciplinary action against a holder may take the  
form of cancellation, **revocation**, refusal to renew, **suspension**,

1 imposition of conditions or **restrictions** or civil **fine** in an amount  
2 not to exceed one thousand dollars for each day that the violation  
3 which forms the subject matter of the complaint that recommends  
4 such disciplinary action is demonstrated to have been in  
5 existence, or any combination of such actions, as the particular  
6 situation may require. The Council may also impose against the  
licensee the actual costs incurred, and a reasonable amount for  
attorney's fees, resulting from the imposition of disciplinary  
action. The disciplinary actions available in this Section shall be  
in addition to, and not exclusive of, any other civil or criminal  
remedy which otherwise might be available. [Emphasis added.]

7 **ALLEGATION**

8 It is alleged that since November 19, 2003, DONNA J. LAWRENCE d/b/a V.I.P.  
9 MASSAGE operated a business which constitutes a public nuisance, and has been conducted in  
10 an unlawful, illegal and impermissible manner, to wit: failing to notify the City of Las Vegas  
11 that Nga Greer and Tam Vo were functioning as principals of V.I.P. MASSAGE, advertising  
12 in "Trip Sheet Magazine" that V.I.P. MASSAGE would pay limousine and cab drivers \$20 a  
13 head for the delivery of customers, and operating V.I.P. MASSAGE as a house of prostitution  
14 in violation of Las Vegas Municipal Code and the Nevada Revised Statutes.

15 WHEREFORE, the Petitioner respectfully requests the City Council to:

16 A. Approve the Complaint for Disciplinary Action and order a disciplinary hearing  
17 at which the Respondent shall appear and show cause why the licenses that are the subject of  
18 this Complaint should not be suspended or revoked, or other disciplinary action taken; or

19 B. Grant such other and further relief as the Council deems appropriate.

20 DATED this 20 day of June, 2006.

21 RESPECTFULLY SUBMITTED:

22 By: 

23 MARK R. VINCENT, Director  
Finance and Business Services

24 BRADFORD R. JERBIC  
25 City Attorney

26 By: 

27 WILLIAM P. HENRY  
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28 Attorneys for CITY OF LAS VEGAS